

**COMMONWEALTH OF MASSACHUSETTS
State Building Code (780 CMR) Appeals Board
Board's Ruling on Appeal¹**

Docket No. 08-649

Appellant(s): George Guinta, Jr.

vz. Appellee(s): City/Town of Needham
Daniel P. Walsh

Procedural History

This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant requested that the Board grant him a variance from 780 CMR 111.8, for 49 Wachusett Road, Needham, MA. In accordance with GL c. 30A, §§10 & 11; GL c. 143, §100; 801 CMR 1.02 *et. seq.*; and 780 CMR 122.3.4, the Board convened a public hearing on October 28, 2008 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

The Appellant appeared for the hearing *pro se*. Daniel P. Walsh and others were present as well as shown on the sign in sheet that is on file with the Department of Public Safety (DPS).

Discussion

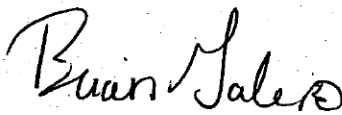
A motion was made to grant the Appellant's request for a variance from 780 CMR 111.8, because if the decision of the Building Official to revoke the building permit is upheld then the building would have to comply with the 7th edition of the code. Further the progress of the construction for this project indicates that an extension of the permit via 780 CMR 111.8 should be granted, which the Board with this motion allows. There was a second on the motion and a board vote was taken, which was unanimous.

Conclusion

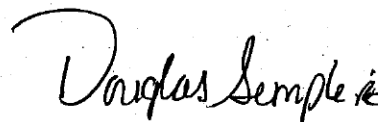
The Appellant's request for a variance from 780 CMR 111.8, is hereby granted and so ordered² on this date: October 28, 2008.



Alexander MacLeod



Brian Gale



Douglas Semple

¹ This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108

² In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.